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C O N F I D E N T I A L BUDAPEST 000881

SIPDIS

DEPARTMENT FOR EUR/CE-SEIJI SHIRATORI, WILLIAM TOMLYANOVICH
AND JAMIE LAMORE

E.O. 12958: DECL: 09/05/2018

TAGS: [PREL](#) [UNGA](#) [UN](#) [KV](#) [HU](#)

SUBJECT: HUNGARY TO FOLLOW EU LEAD ON KOSOVO ICJ RESOLUTION
AT UNGA

REF: SECSTATE 91908

Classified By: PolOff Ryan C. Leong, reasons 1.4 (b) and (d).

¶1. (C) Reftel talking points were discussed on September 2 with Rita Silek of the GoH Ministry of Foreign Affairs Legal Department, which is responsible for all ICJ issues. Silek agreed with many of the points made in reftel, namely the uncertainty and instability that the continued discussion of Kosovo's legal status can bring to the region, and questioned the wisdom of Serbia's continued efforts on this issue. However, from a strictly legal point of view Silek maintained that Serbia, as a UN member, had the right to raise this issue and request a legal opinion on the matter. In a slight modification of the usual "need for consensus" message from the MFA, Silek said Hungary would wait to see what "trends developed" in the EU before forming a final opinion. PolOff pointed out that Hungary's opinion, as a neighboring country of Serbia, would likely have a significant impact on forming this "trend" and that Hungary's recognition of Kosovo as an independent state earlier this year was an action shared by almost 80 percent of EU countries.

¶2. (C) Silek agreed that independence is typically a political question rather than a legal one and that this request for an advisory opinion could set a negative precedent for the future. Judging from informal discussions in preparation for upcoming EU discussions on UNGA positions, Silek gathered that other EU members were not overly concerned with movement forward on the resolution, even if a negative opinion on independence is reached by the ICJ. She said the ICJ is a legal body in principle but still subject to fickle political winds. She downplayed the effect of even a "worst case scenario" judgment by the ICJ, concluding that Serbia and Kosovo should both be concentrating on EU integration rather than expending political capital on this issue.

The Danube Shuffle

¶3. (C) Foreign Minister Kinga Goncez recently received a letter from Serbian Foreign Minister Vuk Jeremic requesting support for the UNGA resolution, but Hungary had not yet officially replied. Goncez was in Belgrade on September 2 for a previously scheduled trip to discuss bilateral relations and "international issues" with Jeremic and Prime Minister Mirko Cvetkovic. Press reports stated that Jeremic "complained" about the current relations between the two countries, as ties were set back by Hungary's recognition of Kosovo's independence. Goncez stressed that Hungary supported Serbia's European integration and carried with her a package of proposals on how to move forward. Cvetkovic and Goncez discussed a variety of specific issues, including the construction of more border crossing stations. Post will notify the Department once the MFA has formed an official position on this issue.
Foley